

charging adulteration and misbranding in violation of the Food and Drugs Act. The barrels were labeled: (On one end) "Parker Brown Co., Allegheny, Pa."; (On the other end) "Sweet Pomace Wine (Gauge) Ohio Port Wine Guaranteed Under National Pure Food and Drugs Act, June 30, 1906, Kelley's Island Wine Company, Kelley's Island, Ohio".

Adulteration of the product was alleged in the libel for the reason that a substance, to wit, an imitation product prepared in part from starch sugar, had been substituted wholly or in part for port wine. Misbranding was alleged for the reason that the product was offered for sale under the distinctive name of port wine, whereas, in fact, it was not port wine but an imitation product prepared wholly or in part from starch sugar and in imitation of port wine, and for the further reason that it was labeled and branded so as to deceive and mislead the purchaser, that is to say, was branded and labeled as port wine, whereas, in fact, it was not port wine but an imitation product prepared wholly or in part from starch sugar and in imitation of port wine; and for the further reason that it was offered for sale purporting to be a foreign product, that is to say, the words "port wine" were in large black type on the head of each barrel, and standing apart from the rest of the label near the upper part on each barrel head, and remote from the words "port wine," in materially reduced type, was the single word "Ohio," the effect of the label being to indicate that the product offered for sale was "port wine," a wine manufactured in southwestern Europe, whereas, in fact, said wine was manufactured in the State of Ohio in the United States of America. Misbranding was alleged for the further reason that the packages containing the product and their labels bore respectively a statement regarding the substances contained therein, which was false and misleading, to wit, by the label on each of said barrels the substance contained therein purported to be "port wine," whereas, in fact, the substance contained in each of said barrels was not "port wine," which is the fermented juice pressed from entire, sound, ripe grapes, but was an imitation product, prepared wholly or in part from starch sugar and in imitation of port wine.

On July 30, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 21, 1914.*

3130. Misbranding of Dr. Sullivan's Sure Solvent. U. S. v. 6 Cases of Dr. Sullivan's Sure Solvent. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5262. S. No. 1844.)

On June 21, 1913, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cases of Dr. Sullivan's Sure Solvent, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the product had been shipped on or about June 7, 1913, by the Dr. Sullivan Sure Solvent Co., Buffalo, N. Y., and transported from the State of New York into the State of Ohio, consigned to The Hall-Van Gorder Co., Cleveland, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended. The product was labeled: (On bottles) "The most wonderful medicine known for removing the following diseases from the human system, Kidney and Liver Complaint, Catarrh of the Stomach, Rheumatism, Paralysis, Nervous Exhaustion, St. Vitus Dance, Asthma, All Female Weakness and is especially recommended for all disorders of the stomach." (On cartons) "The celebrated Dr. Sullivan's Sure Solvent Alcohol, 9 per cent Trade Mark The Most Wonderful Medicine Known For

Removing The Following Diseases From The Human System, Catarrh of the Stomach, Dyspepsia, Rheumatism, Paralysis, Nervous Exhaustion, Loss of Appetite. And is especially recommended for all disorders of the stomach, and gives the most rapid cure to those suffering from the abusive use of alcoholic beverages. Price 50 cents. Manufactured by The Dr. Sullivan Sure Solvent Company, St. Catherines, Ont., Buffalo, N. Y. Guaranteed by the Dr. Sullivan Sure Solvent Co. under the Food and Drugs Act June 30, 1906. Guaranty No. 5232. The most wonderful medicine known for removing the following diseases from the human system, Catarrh of the Stomach, Rheumatism, Paralysis, Nervous Exhaustion. Gives the most rapid cure of those suffering from the abusive use of alcoholic beverages." (On shipping cases) "1 doz. Dr. Sullivan's Sure Solvent cures all kidney, stomach and liver troubles. Take Dr. Sullivan's Sure Solvent for the Heart and Lungs." (Circulars in cartons) "Dr. Sullivan's Sure Solvent is the only remedy in the world to-day that positively will cure rheumatism and kidney trouble. The Greatest Discovery of the Age. If you feel a twinge of rheumatism, dyspepsia, or nervousness, if you are troubled with insomnia, irregularity of the heart or any other of the many ills that flesh is heir to that one little teaspoonful taken daily will banish them. If a tumor is growing, a cancer developing, no matter what ailment, short of the severance of an artery, that same little dose of Sullivan's Sure Solvent will disperse it for good."

Misbranding of the product was alleged in the libel for the reason that the statements on the labels and in said circulars were false and misleading and fraudulent; that no ingredient or ingredients in the product were capable of producing the therapeutic effects claimed for it in said statement.

On January 5, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 21, 1914.

3131. Adulteration of condensed milk. U. S. v. 5 Barrels of Condensed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5263. S. No. 1846.)

On June 21, 1913, the United States Attorney for the Southern District of New York, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels of condensed milk, remaining unsold in the original unbroken packages and in the possession of the Central Railroad of New Jersey at New York, N. Y., alleging that the product had been shipped on or about April 24, 1913, by the Cumberland Valley Creamery and Dairy Co., Chambersburg, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The product was labeled "For O. J. Weeks & Co. 216 Franklin St., New York, N. Y. From Cumberland Valley Creamery and Dairy Co. Manufacturers and Shippers of Fancy Table Butter and Dealers in Eggs. Chambersburg, Pa."

Adulteration of the product was alleged in the libel for the reason that it consisted of a decomposed animal substance and of a substance unfit for food, contrary to the provisions of section 7, paragraph 6 under "Food," of said Food and Drugs Act.

On July 8, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 21, 1914.